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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, ) CASE NO. CR06-106 RSM  
09 Plaintiff, )  
10 v. ) SUMMARY REPORT OF U.S.  
11 ROLANDO DEL MUNDO HERNANDEZ, ) MAGISTRATE JUDGE AS TO  
12 Defendant. ) ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
13

14 An initial hearing on supervised release revocation in this case was scheduled before me  
15 on October 14, 2009. The United States was represented by AUSA Jill Otake and the defendant  
16 by Allen R. Bentley. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about January 5, 2007 by the Honorable Ricardo S.  
18 Martinez on a charge of Conspiracy to Commit Bank Fraud, and sentenced to 8 months custody  
19 (30 days in home detention), 5 years supervised release. (Dkt. 229.)

20 The conditions of supervised release included the standard conditions plus the  
21 requirements that defendant participate in a drug program, abstain from alcohol, submit to  
22 search, pay restitution in the amount of \$73,592.13, provide access to financial information,

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01 maintain a single checking account for all transactions, disclose any business interests, disclose  
02 all assets and liabilities, be prohibited from incurring new lines of credit or obligations, refrain  
03 from self-employment or employment by friends or relatives unless pre-approved, obtain  
04 approval for all employment, not work for cash, provide verification of pay, and not possess any  
05 false identification documents.

06 On January 6, 2009, defendant admitted violating the conditions of supervised release by  
07 failing to pay restitution and associating with a person engaged in criminal activity. (Dkt. 353.)

08 Defendant's supervised release was modified to require participation in a home confinement  
09 program with electronic monitoring for 120 days and a prohibition against gambling. (Dkt. 355.)

10 In an application dated September 14, 2009 (Dkt. 359 ), U.S. Probation Officer Michael  
11 S. Larsen alleged the following violation of the conditions of supervised release:

12 1. Using methamphetamine on or about August 9, 2009, in violation of standard  
13 condition number 7.

14 Defendant was advised in full as to the charge and as to his constitutional rights.

15 Defendant admitted the alleged violation and waived any evidentiary hearing as to  
16 whether it occurred. (Dkt. 361.)

17 I therefore recommend the Court find defendant violated his supervised release as  
18 alleged, and that the Court conduct a hearing limited to the issue of disposition. The next  
19 hearing will be set before Judge Martinez.

20 Pending a final determination by the Court, defendant has been detained.

01 DATED this 14<sup>th</sup> day of October, 2009.

02 

03 Mary Alice Theiler  
04 United States Magistrate Judge

05 cc: District Judge: Honorable Ricardo S. Martinez  
06 AUSA: Jill Otake  
07 Defendant's attorney: Allen R. Bentley  
08 Probation officer: Michael S. Larsen  
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